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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN ERNESTO ORTIZ TORRES,

Defendant.

Case No.: 2:20-mj-00641-DJA

**STIPULATION TO CONTINUE  
THE PRELIMINARY HEARING  
(*First Request*)**

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and BENJAMIN DURHAM, counsel for Defendant JUAN ERNESTO ORTIZ TORRES, that the preliminary hearing date in the above-captioned matter, currently scheduled for August 21, 2020, at 4:00 p.m., be vacated and continued for sixty (60) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

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2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant JUAN ERNESTO ORTIZ TORRES is out of custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary hearing.

DATED: August 14, 2020

Respectfully submitted,

NICHOLAS A. TRUTANICH  
United States Attorney

*/s/ Allison Reese*

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ALLISON REESE  
Assistant United States Attorney

BENJAMIN DURHAM LAW FIRM

*/s/ Benjamin C. Durham*

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Benjamin C. Durham  
Counsel for Defendant Juan Ernesto Ortiz  
Torres

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN ERNESTO ORTIZ TORRES,

Defendant.

Case No.: 2:20-mj-00641-DJA

**ORDER**

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant JUAN ERNESTO ORTIZ TORRES is out of custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary hearing.

1 For all of the above-stated reasons, the ends of justice would best be served by a  
2 continuance of the preliminary hearing date.

3 **CONCLUSIONS OF LAW**

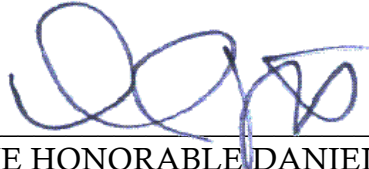
4 The ends of justice served by granting said continuance outweigh the best interest of the  
5 public and the defendant, since the failure to grant said continuance would be likely to result in  
6 a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to  
7 indictment, and further would deny the parties sufficient time and the opportunity within which  
8 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account  
9 the exercise of due diligence.

10 The continuance sought herein is allowed, with the defendant's consent, pursuant to  
11 Federal Rules of Procedure 5.1(d).

12 **ORDER**

13 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for  
14 August 21, 2020, at the hour of 4:00 p.m., be vacated and continued to  
15 \_\_\_\_\_ October 19 \_\_\_\_\_, 2020, at the hour of 4:00 p.m. in Courtroom 3A.

16 DATED this 14<sup>th</sup> day of August, 2020.

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19 THE HONORABLE DANIEL J. ALBREGTS  
20 UNITED STATES MAGISTRATE JUDGE  
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